

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
CITY OF BEE CAVE  
August 28, 2012

STATE OF TEXAS           §

COUNTY OF TRAVIS       §

**Present:**

Caroline Murphy, Mayor  
Zelda Auslander, Council Member  
Steve Braasch, Council Member  
Bob Dorsett, Jr., Council Member  
Bill Goodwin, Council Member

**Absent:**

Jack McCool, Mayor Pro Tem

**City Staff:**

Frank Salvato, City Administrator  
Patty Akers, City Attorney  
Kaylynn Holloway, City Secretary  
Katy Griffin, Director of Finance  
Lindsey Withrow, Director of Community Services  
Amy Kelley, Systems Administrator  
Russell Pancoast, Chief of Police  
Giancarlo Patino, City Engineer  
Barbara Hathaway, Library Director  
Stephen Myrick, Building Official

**Call to Order and Announce a Quorum is Present**

With a quorum present, the regular meeting of the Bee Cave City Council was called to order by Mayor Murphy at 6:00 p.m. on Tuesday, August 28, 2012 in the Council Chambers of the City of Bee Cave City Hall, 4000 Galleria Parkway, Bee Cave, Texas.

**Pledge of Allegiance**

**Citizen Comments**

There were not any citizen comments at this time.

**Oath of Office**

Mayor Murphy administered the oath of office to Patrol Officers Greg Evans and Joshua McCann.

**Consent Agenda**

- A. Consider approval of minutes of the Regular meeting conducted on August 14, 2012.
- B. Consider approval of the monthly financial and investment reports.

**MOTION:** A motion was made by Council Member Goodwin, seconded by Council Member Dorsett, to approve the consent agenda.

The vote was taken on the motion with the following result:

Voting Aye:	Council Members Auslander, Dorsett and Goodwin
Voting Nay:	None
Absent:	Mayor Pro Tem McCool
Abstain:	Council Member Braasch

The motion carried.

**Presentation, discussion and consider action on bicycle safety on Bee Cave Parkway between RR 620 and Bee Cave Road, including by not limited to signage, striped bicycle lanes and/or reduced speed limit.**

Tim Diven, Vice-President of Lake Travis Cycling, made a presentation to Council regarding bicycle safety on Bee Cave Parkway. He stated that he appreciates the signage but would like the Council to consider other options and possibly striping a bicycle lane.

Tony Crossley, 5607 Great Divide, stated that he rides to HEB and that the trucks come very close.

Peter Malarkey, Lakeway, thanked the Council for the additional signs and commented that a sign stating "bicycles may use full lane" would help make it clearer to motorist.

Al Bastidas, Founder of Please Be Kind to Cyclist, encouraged the Council to provide education in the community about motorist and bicycle safety. He offered to help.

Preston Tyree, Education Director for Austin Cycling Association, encouraged the Council to lower the speed limit on the Parkway as soon as possible. He also suggested narrowing the lanes to 10-1/2 feet.

Michael Fentress, Lakeway, stated that he has been abused and had things thrown at him while riding his bike. He encouraged the Council to reduce the speed limit on the Parkway.

Kent Fratillis, stated that he supported all of the ideas. He added that putting in the right infrastructure would encourage people to ride their bikes to the stores.

James Fentress, Lakeway, stated that he also supported a reduction in the speed limit.

Terry Mitchell, Homestead, supported bicycle safety and better connectivity for bicycles.

Rob Bush, Homestead, stated that he was a competitive cyclist for 30 years and that he supported bicycle safety.

Members of the City Council agreed with the additional signage but more study would be needed before changing the Parkway.

Mayor Murphy stated that the Council would need additional input from the public especially if they were to consider lowering the speed limit.

**MOTION:** A motion was made by Council Member Dorsett, seconded by Council Member Auslander, to authorize Staff to create five signs in each direction on Bee Cave Parkway that contain the language of “share the road” and “bicycle may use full lane” including initiating a study to analyze the impact of a lane reduction, cost, alignment configuration and other options.

Casey Sledge, Sledge Engineering, briefed the Council on his report for options on adding bicycle use designations to Bee Cave Parkway.

Council Member Goodwin stated that there are probably a lot of people in Bee Cave that are opposed to dropping the speed limit on the Parkway.

The vote was taken on the motion with the following result:

Voting Aye:	Council Members Auslander, Braasch, Dorsett and Goodwin
Voting Nay:	None
Absent:	Mayor Pro Tem McCool

The motion carried.

**Discuss and consider action on a Interlocal Cooperation Contract with the Texas Department of Public Safety for the “Failure to Appear Program”.**

City Administrator Frank Salvato explained the Interlocal Agreement.

**MOTION:** A motion was made by Council Member Braasch, seconded by Council Member Goodwin, to approve the Interlocal Cooperation Contract.

The vote was taken on the motion with the following result:

Voting Aye: Council Members Auslander, Braasch, Dorsett and Goodwin  
Voting Nay: None  
Absent: Mayor Pro Tem McCool

The motion carried.

**Discuss and consider action on an update of Bee Cave Parkway Phase IIIB construction.**

Casey Sledge of Sledge Engineering updated the City Council on the project.

**Discuss and consider action on a final plat, easements by separate instruments, and letter of credit for the property owned by Tim and Brenda Skaggs located next to the Backyard on Bee Cave Parkway at Lot 1, Block A of the Skaggs Tract.**

**MOTION:** A motion was made by Council Member Goodwin, seconded by Council Member Braasch, to postpone this item until the next Council Meeting.

The vote was taken on the motion with the following result:

Voting Aye: Council Members Auslander, Braasch, Dorsett and Goodwin  
Voting Nay: None  
Absent: Mayor Pro Tem McCool

The motion carried.

**Discuss and provide comments on a proposed hike and bike trail to be constructed by the Morningside Developers from Falconhead Boulevard to Central Park.**

Scott Morledge of Ash Creek Homes, Inc. and Morningside Development Partner presented a proposal for a multi-use trail system from Lake Travis High School to the Bee Cave Central Park. He asked that the Council provide approval of the alignment of the trail along an existing wastewater easement.

The City Council discussed whether the trail would be concrete or crushed granite.

The City Council agreed with the alignment of the trail as presented.

This item will be discussed at a future council meeting.

**Discuss and consider action on a letter of credit from Hill Country Golf and Guitars.**

City Engineer Giancarlo Patino presented this item.

**MOTION:** A motion was made by Council Member Dorsett, seconded by Council Member Goodwin, to approve the letter of credit from Hill Country Golf and Guitars.

The vote was taken on the motion with the following result:

Voting Aye: Council Members Auslander, Braasch, Dorsett and Goodwin  
Voting Nay: None  
Absent: Mayor Pro Tem McCool

The motion carried.

**Discuss and consider action on Ordinance No. 120, an ordinance amending the Hill Country Galleria Comprehensive Sign Package to allow blade signs in paseo and monument signs.**

Adrian Overstreet, Asset Manager for the Hill Country Galleria, explained his requested changes to the City Council. He commented that the Texas Department of Transportation did not approve his request for an agreement to install a monument sign within the State right-of-way.

Ordinance No. 120 would amend the Galleria's comprehensive sign package to include an on-premise monument sign on the corner of Bee Cave Road and Highway 71 as well as a monument sign at the Bee Cave Road entrance. It would also allow paseo blade signs.

**MOTION:** A motion was made by Council Member Goodwin, seconded by Council Member Dorsett, to approve Ordinance No. 120 as presented.

The vote was taken on the motion with the following result:

Voting Aye: Council Members Auslander, Braasch, Dorsett and Goodwin  
Voting Nay: None  
Absent: Mayor Pro Tem McCool

The motion carried.

**Discussion on a preliminary budget for Fiscal Year 2012-2013 including effective tax rate and projected 2011-2012 year-end budget.**

Mr. Salvato presented this item.

The City Council agreed that the FY 2011-12 budget should be amended to include the 380 agreement payment to the Hill Country Galleria to align the fiscal years between sales tax collection and 380 agreement payments.

Public hearings on the budget and tax rate will be held at the next Council Meeting.

**Discuss and consider action on the Economic Development Corporation project regarding acquisition of open space owned by Falconhead West, L.P.**

This item was discussed in Executive Session.

### **Executive Session**

The City Council closed the Open Session at 9:05 p.m. to convene in Executive Session in the Conference Room.

At this point in the meeting, Mayor Murphy publicly announced that a closed, executive session would be held and identified the sections of the Open Meeting Law under which the meeting would be held.

Executive session in accordance with the Texas Government Code, Section 551-072 – Real Property and Section 551.071 – Consultation with Attorney in which the Attorney has a duty to the City under the Texas Disciplinary Rules of Professional Conduct that clearly conflicts with the provisions of the Open Meetings Law.

- A. Consultation with Attorney regarding authority of city to enforce building, sign and development ordinances and litigation with AusPro Enterprises, LP.
- B. Consultation with Attorney regarding the acquisition of open space owned by Falconhead West, L.P.

The City Council closed the Executive Session at 9:39 p.m. and reconvened in Regular Session in the Council Chambers.

### **Adjournment**

**MOTION:** A motion was made by Council Member Dorsett, seconded by Council Member Braasch, to adjourn.

The vote was taken on the motion with the following result:

Voting Aye:	Council Members Auslander, Braasch, Dorsett and Goodwin
Voting Nay:	None
Absent:	Mayor Pro Tem McCool

The motion carried.

The City Council adjourned the meeting at 9:40 p.m.

PASSED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2012.

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Caroline Murphy, Mayor

ATTEST:

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Kaylynn Holloway, City Secretary